

No. 9/6/86-6 Lab./3229.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of the Executive Engineer Sub-Urban (operation) Division, Haryana State Electricity Board, Jagadhri.

IN THE COURT OF SHRI V.P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Reference No. 343 of 1984

SHRI HUKAM SINGH, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE ENGINEER  
SUB-URBAN (OPERATION) DIVISION, HARYANA STATE ELECTRICITY  
BOARD, JAGADHRI

Present.—

Shri Balbir Singh, for workman.

Shri S. Bindra, for respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—vide clause (C) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred dispute between workman Shri Hukam Singh and Executive Engineer Sub-Urban Division, H.S.E.B., Jagadhri, originally to Labour Court, Faridabad. The terms of the reference are as under :—

“Whether termination of services of Shri Hukam Singh, workman was justified and in order, if not, to what relief is he entitled ?”

On constitution of Labour Court at Ambala, in April, 1984, this reference was received by transfer.

Workman alleged that he joined service of respondent and continuously served to the entire satisfaction of the respondent. Thereafter, respondent-management terminated his service without any cause or reason. He alleged that this termination is void being violative of section 25(F) of Industrial Disputes Act, 1947, so it be set-aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent-management contended the dispute and contended that H.S.E.B. is body corporate and juristic person. So it should have been impleaded as party. It was also contended that non-impleading of H.S.E.B. as a party affects the reference. It was also contended that workman was employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job, according to the principle last come first go. It was also contended that termination order are not violative to section 25(F), workman is not entitled to any relief claimed for.

On the pleadings of the parties the following issues were framed :—

Issues :

- (1) Whether termination order, in question, is just and correct, if not its effect ? OPM
- (2) Whether reference is bad for non-joinder of necessary parties ? OPM
- (3) Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to today i.e., 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh Ld. A.R. for workman. So I pass award regarding the dispute in hand accordingly.

Dated 18th March, 1986.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

Endorsement No. 869, dated 18th March, 1986.

Forwarded (Four Copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

No. 9/6/86-6Lab/3230.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of the Executive Engineer, Sub-Urban (Operation) Division, Haryana State Electricity Board, Jagadhri.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER,  
LABOUR COURT, AMBALA

Ref. No. 347 of 1984

SHRI RAGHU NATH, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE ENGINEER,  
SUB-URBAN (OPERATION) DIVISION, HARYANA STATE ELECTRICITY BOARD, JAGADHRI.

Present.—

Shri Balbir Singh, for workman.

Shri S. Bindra, for respondent.

#### AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—vide clause (C) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred dispute between workman Raghu Nath and Messrs Executive Engineer, Sub-Urban Division, H.S.E.B., Jagadhri, originally to Labour Court, Faridabad. The terms of the reference are as under :—

“Whether termination of services of Shri Raghu Nath, workman, was justified and in order ? If not, to what relief is he entitled ?”

On constitution of Labour Court at Ambala in April, 1984, this reference was received by transfer.

Workman alleged that he joined service of respondent and continuously served to the entire satisfaction of the respondent. Thereafter, respondent-management terminated his service without any cause or reason. He alleged that this termination is void being violative of section 25 (F) of Industrial Disputes Act, 1947, so it be set-aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent-management contested the dispute and contended that H.S.E.B. is body corporate and juristic person. So it should have been impleaded as party. It was also contended that non-impleading of H.S.E.B. as a party affects the reference. It was also contended that workman was employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job, according to the principle last come first go. It was also contended that termination order are not violative to section 25 (F), workman is not entitled to relief claimed for.

On the pleadings of the parties the following issues were framed :—

Issues:

- (1) Whether termination order, in question, is just and correct if not, its effect ? OPM
- (2) Whether reference is bad for non-joinder of necessary parties ? OPM
- (3) Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to

today i.e. 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh Ld. A.R. for workman. So, I pass award regarding the dispute in hand accordingly.

Dated the 18th March, 1986.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

Endst. No. 870, dated 18th March, 1986.

Forwarded (four copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

No. 9/6/86-6Lab/3231.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of the Executive Engineer Sub-Urban (Operation) Division, Haryana State Electricity Board, Jagadhri.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Reference No. 344 of 1984

between

SHRI DHARAM PAUL, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE  
ENGINEER SUB-URBAN (OPERATION) DIVISION, HARYANA STATE ELECTRICITY  
BOARD, JAGADHRI

Present.—

Shri Balbir Singh, for workman.  
Shri S. Bindra, for respondent.

#### AWARD

The Hon'ble Governor of Haryana, in the exercise of powers conferred,—*vide* clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred dispute between workman Shri Dharam Paul, and the Executive Engineer, Sub-Urban Division H. S. E. B., Jagadhri originally to Labour Court, Faridabad. The terms of the reference are as under:—

“Whether the termination of services of Shri Dharam Paul, workman, was justified and in order ?  
If not, to what relief is he entitled ?”

On constitution of Labour Court at Ambala in April, 1984, this reference was received by transfer.

Workman alleged that he joined service of respondent and continuously served to the entire satisfaction of the respondent. Thereafter, respondent-management terminated his service without any cause or reason. He alleged that this termination is aviod being violative of section 25(F) of Industrial Disputes, Act, 1947, so it be set-aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent-management contested the dispute and contended that H. S. E. B. is body corporate and juristic person. So it should have been impleaded as party. It was also contended that non-impleading of H.S.E.B. as a party affects the reference. It was also contended that workman has employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job, according to the principle last come first go. It was also contended that termination order are not violative to section 25(F) workman is not entitled to any relief claimed for.

On the pleadings of the parties the following issues were framed :

Issues :

1. Whether termination order, in question, is just and correct ? If not its effect ? OPM.
2. Whether reference is bad for non-joinder of necessary parties ? OPM
3. Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to today i. e, 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh Ld. A. R. for workman. So I pass award regarding the dispute in hand accordingly.

Dated the 18th March, 1986

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

Endst. No. 872, dated the 18th March, 1986.

Forwarded (Four Copies), to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

No. 9/6/86-6Lab./3232.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of the Executive Engineer, Sub-Urban (Operation) Division, Haryana State Electricity Board, Jagadhri.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Reference No. 341 of 1984

SHRI KARAN SINGH, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE  
ENGINEER SUB-URBAN (OPERATION) DIVISION, HARYANA STATE ELECTRICITY BOARD,  
JAGADHRI.

*Present.*—

Shri Balbir Singh, for the workman.

Shri S. Bindra, for the respondent.

#### AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—*vide* clause (c) of sub-section (i) of, section (10) of the Industrial Disputes Act, 1947 has referred dispute between workman Shri Karam Singh and Messrs Executive Engineer Sub-Urban Division, H. S. E. B., Jagadhri, originally to Labour Court, Faridabad. The terms of the reference are as under :—

“Whether the termination of services of Shri Karam Singh workman, was justified and in order? If not, to what relief is he entitled?”

On constitution of Labour Court at Ambala in April 1984, this reference was received by transfer.

Workman alleged that he joined service of respondent and continuously served to the entire satisfaction of the respondent. Thereafter, respondent-management terminated his service without any cause or reason. He alleged that this termination is void being violative of section 25 (P) of Industrial Disputes Act, 1947 so it be set-aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent-management contested the dispute and contended that H. S. E. B. is body corporate and juristic person. So it should have been impleaded as party. It was also contended that non-impleading of H.S.E.B. as a party affects the reference. It was also contended that workman was employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job, according to the principal last come first go. It was also contended that termination order are not violative to section 25 (F) workman is not entitled to any relief claimed for.

On the pleadings of the parties the following issues were framed:

*Issues—*

- (1) Whether termination order, in question, is just and correct; if not, its effect ? OPM
- (2) Whether reference is bad for non-joinder of necessary parties ? OPM
- (3) Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to today i. e. 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh Ltd., A. R for workman. So I pass award regarding the dispute in hand accordingly.

Dated the 18th March, 1984.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

Endorsement No. 813, dated the 18th March, 1986

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

No. 9/6/86-6Lab./3233.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of the Executive Engineer, Sub Urban (Operation) Division, Haryana State Electricity Board, Jagadhri :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Reference No. 342 of 1984

(Old No. 165 of 1983)

SHRI DES RAJ, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE  
ENGINEER SUB-URBAN (OPERATION) DIVISION, HARYANA STATE  
ELECTRICITY BOARD, JAGADHRI.

*Present :—*

Shri Balbir Singh, for the workman.

Shri S. Bindra, for the respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred, *vide* its clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred dispute between workman Des Raj and Messrs Executive Engineer Sub-urban Division, Haryana State Electricity Board, Jagadhri, originally to Labour Court, Faridabad. The terms of the reference are as under :—

“Whether the termination of services of Shri Des Raj, workman was, justified and in order ?  
If not, to what relief is he entitled ?”

On constitution of Labour Court at Ambala in April, 1984, this reference was received by transfer.

Workman alleged that he joined service of respondent and continuously served to the entire satisfaction of the respondent. Thereafter, respondent management terminated his service without any cause or reason. He alleged that this termination is void being violative of section 25 (F) of Industrial Disputes Act, 1947, so it be set-aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent management contested the dispute and contended that H.S.E.B. is body corporate and jurisdiction person. So it should have been impleaded as party. It was also contended that non-impleading of H.S.E.B. as a party affects the reference. It was also contended that workman was employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job according to the principle last come first go. It was also contended that termination order are not violative to section 25 (F), workman is not entitled to any relief claimed for.

On the pleadings of the parties the following issues were framed :—

Issues :

- (1) Whether termination order, in question, is just and correct, if not, its effect ? OPM ?
- (2) Whether reference is bad for non-joinder of necessary parties ? OPM
- (3) Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to today i.e. 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh Ld. A. R. for workman. So, I pass award regarding the dispute in hand accordingly.

Dated the 18th March, 1986.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

Endorsement No. 874, dated the 18th March, 1986

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

No. 9/6/86-6Lab./3234.— In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of Executive Engineer Suburban (Operation) Division, Haryana State Electricity Board, Chandigarh.

IN THE COURT OF SHRI V.P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA

Ref. No. 336 of 1984

SHRI CHANDER BHAN, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE ENGINEER, SUBURBAN (OPERATION) DIVISION, HARYANA STATE ELECTRICITY BOARD, CHANDIGARH

Present—

Shri Balbir Singh for the workman.

Shri S. Bindra, for the respondent.

#### AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,— vide clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred dispute between workman Shri Chander Bhan and Messrs Executive Engineer, Suburban Division, H. S. E. B., Jagadhri, originally to Labour Court, Faridabad. The terms of the reference are as under:—

'Whether the termination of services of Shri Chander Bhan, workman, was justified and in order if not, to what relief is he entitled ?

On constitution of Labour Court at Ambala in April, 1984, this reference was received by transfer.

Workman alleged that he joined service of respondent and continuously served to the entire satisfaction of the respondent. Thereafter, respondent management terminated his service without any cause or reason. He alleged that this termination is void being violative of section 25(F) of Industrial Disputes Act, 1947, so it be set aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent management contested the dispute and contended that H.S.E.B. is body corporate and juristic person. So it should have been impleaded as party. It was also contended that non-impleading of H.S.E.B. as a party affects the reference. It was also contended that workman was employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job, according to the principle last come first go. It was also contended that termination order are not violative to section 25(F) workman is not entitled to any relief claimed for.

On the pleadings of the parties the following issues were framed:—

#### Issues

1. Whether termination order, in question,, is just and correct; if not, its effect ? OPM
2. Whether reference is bad for non-joinder of necessary parties ? OPM
3. Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to today i. e., 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh Id. A. R. for workman. So I pass award regarding the dispute in hand accordingly.

Dated the 18th March, 1986.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

Endst. No. 875, dated 18th March, 1986

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V.P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

No. 9/6/86-6 Lab/3235.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of Executive Engineer, Sub-urban (Operation) Division, Haryana State Electricity Board, Jagadhri.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Reference No. 340 of 1984

SHRI BHUPINDER SINGH, WORKMAN AND THE MANAGEMENT OF THE  
EXECUTIVE ENGINEER, SUBURBAN (OPERATION) DIVISION, HARYANA  
STATE ELECTRICITY BOARD, JAGADHRI

#### Present—

Shri Balbir Singh, for the workman.

Shri S. Bindra, for the respondent.

## AWARD

The Hon'ble Governor of Haryana in exercise of powers conferred,—vide clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred dispute between workman Bhupinder Singh and Executive Engineer, Sub-Urban Division, H.S.E.B., Jagadhri, originally to Labour Court, Faridabad. The terms of the reference are as under :—

Whether termination of services of Shri Bhupinder Singh, workman, was justified and in order ? if not, to what relief is he entitled ?

Workman alleged that he joined service of respondent and continuously served it to the entire satisfaction of the respondent. Thereafter, respondent-management terminated his service without any cause or reason. He alleged that this termination is void being violative of section 25 (F) of Industrial Disputes Act, 1947, so it be set aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent-management contested the dispute and contended that H.S.E.B. is body corporate and juristic person. So it should have been impleaded as party. It was also contended that impleading of HSEB as a party badly affects the reference. It was also contended that workman was employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job according to the principle last come first go. It was also contended that termination order are not violative to section 25 (F) workman is not entitled to any relief claimed for.

On the pleadings of the parties the following issues were framed:—

## Issues—

1. Whether termination order in question is just and correct, if not, its effect ? OPM
2. Whether reference is bad for non-joinder of necessary parties ? OPM
3. Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to today i.e. 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh I.D. A. R. for workman. So I pass award regarding the dispute in hand accordingly.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

Dated the 18th March, 1986.

Endorsement No. 876, dated the 18th March, 1986.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

No. 9/6/86-6Lab/3236.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of The Executive Engineer Sub-Urban (Operation) Division, Haryana State Electricity Board, Jagadhri.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Reference No. 348 of 1984

SHRI DALBIR SINGH WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE  
ENGINEER, SUB-URBAN (OPERATION) DIVISION, HARYANA STATE ELECTRICITY BOARD,  
JAGADHRI

## Present:

Shri Balbir Singh, for the workman.  
Shri S. Bindra, for the respondent.



## AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—vide clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 referred dispute between workman Shri Balbir Singh and Executive Engineer Sub-Urban Division H. S. E. B., Jagadhri, originally to Labour Court, Faridabad. The terms of the references are as under:—

'Whether the termination of services of Shri Dalbir Singh workman was justified and in order ?  
If not, to what relief is he entitled ?

On constitution of Labour Court at Ambala in April, 1984, this reference was received by transfer.

Workman alleged that he joined service of respondent and continuously served to the entire satisfaction of the respondent. Thereafter, respondent management, terminated his service without any cause or reason. He alleged that this termination is void being violative of section 25 (F) of Industrial Disputes Act, 1947, so it be set aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent management contested the dispute and contended that H. S. E. B. is body corporate and juristic person. So it should have been impleaded as party. It was also contended that was impleading of HSEB as a party affects the reference. It was also contended that workman was employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job according to the principle last come first go. It was also contended that termination order are not violative to section 25 (F) workman is not entitled to any relief claimed for.

On the pleadings of the parties the following issues were framed :—

Issues—

- (1) Whether termination order in question, is just and correct, if not its effect ? OPM
- (2) Whether reference is bad for non-joinder of necessary parties ? OPM.
- (3) Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to today i.e. 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh Ld. A. R. for workman. So I pass award regarding the dispute in hand accordingly.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

Dated : the 18th March, 1986.

Endsf. No. 877 dated 18th March, 1986

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Ambala.

No. 9/6/86-Lab./3238.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of the Executive Engineer, Sub-Urban (Operation) Division, Haryana State Electricity Board, Jagadhri :—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Ref. No. 345 of 1984

(Old No. 170 of 1983)

SHRI MAHABIR SINGH, WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE  
ENGINEER, SUB-URBAN (OPERATION) DIVISION, HARYANA STATE  
ELECTRICITY BOARD, JAGADHRI

Present:

Shri Balbir Singh, for workman.

Shri S. Bindra, for respondent.

## AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—vide clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the dispute between workman Shri Mahabir Singh and the Executive Engineer, Sub-Urban Division, H.S.E.B., Jagadhri, originally to Labour Court, Faridabad. The terms of reference are as under :—

Whether termination of services of Shri Mahabir Singh workman was justified and in order, if not to what relief is he entitled?

On constitution of Labour Court at Ambala in April, 1984, this reference was received by transfer.

Workman alleged that he joined service of respondent and continuously served to the entire satisfaction of the respondent. Thereafter, respondent-management terminated his service without any cause or reason. He alleged that this termination is void being violative of section 25 (F) of Industrial Disputes Act, 1947 so it be set aside. He prayed that workman be reinstated with continuity of service and with full back wages.

Respondent-management contested the dispute and contended that H.S.E.B. is body corporate and juristic person. So it should have been impleaded as party. It was also contended that non-impleading of H.S.E.B. as a party affects the reference. It was also contended that workman was employed on daily wages against existing work as soon as the work and material exhausted the workman was removed from job according to the principle last come first go. It was also contended that termination order are not violative to section 25 (F). Workman is not entitled to any relief claimed for.

On the pleadings of the parties the following issues were framed:—

Issues :

1. Whether termination order, in question is just and correct ? If not its effect? OPM
2. Whether reference is bad for non-joinder of necessary parties ? OPM
3. Relief.

During the pendency of trial of this dispute parties reached at an amicable settlement according to that it was agreed upon by the management that it shall make payment of service compensation up to -day i.e. 18th March, 1986 and also make payment of one month wages in lieu of notice pay within a week. It was accepted by Shri Balbir Singh Ld. A.R. for workman. So I pass award regarding the dispute in hand accordingly.

Dated the 18th March, 1986.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

Endst. No. , dated

Forwarded (four copies), to the Financial Commissioner & Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.

The 30th April, 1986

No. 9/6/86-6 Lab./3611.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of (i) General Manager, Haryana Roadways, Kaithal, (ii) State Transport Controller, Haryana, Chandigarh.

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
AMBALA

Reference No. 166 of 1984

SHRI AMRIT LAL, WORKMAN AND THE MANAGEMENT OF (i) GENERAL MANAGER,  
HARYANA ROADWAYS, KATHAL, (ii) STATE TRANSPORT CONTROLLER, HARYANA,  
CHANDIGARH

Present:

Shri Rajeshwar Nath for workman.  
Shri A. R. Goyal for respondent.

## AWARD

The Hon'ble Governor of Haryana in the exercise of powers conferred,—vide clause (C) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 originally referred dispute between Shri Amrit Lal, workman and Messrs G. M., Haryana Roadways, Kaithal, etc. to Labour Court, Faridabad. The terms of the reference are as under:—

“Whether termination of services of Shri Amrit Lal, workman, was justified and in order ? If not, to what relief is he entitled ?”

In April, 1984 Labour Court was created at Ambala, so this reference was received by transfer.

Amrit Lal, workman alleged that he was appointed as a Diesel Pump Attendant in the pay scale of 90—3-120/4—140 on 20th November, 1975. Thereafter, he had been working to the satisfaction of his superiors. Suddenly his services were terminated on 3rd May, 1982 by S.T.C. against provisions of section 25 (F) of Industrial Disputes Act, 1947. He alleged that he had completed service of 240 days, so the compliance of section 25 (F) of Industrial Disputes Act was obligatory on the part of the respondent-management. He prayed for his reinstatement with continuity in service and with full back wages, etc.

Respondent-management contested the reference and contended that Shri Amrit Lal is not a workman under the definition of workman under this act for the purposes of this case. It was further contended that he was appointed on six months basis and there was a contract between the parties that an *ad hoc* employee can be terminated at any hour without any notice or reasons. It was further contended that retrenchment compensation was despatched to him through cheque but it was not accepted by the workman, so he has no case against the management.

Applicant filed resplication through which he controverted the allegations of the respondent-management.

On the pleadings of the parties, the following issues were framed :—

**Issues**

1. Whether termination order, dated 3rd May, 1982, is justified ? If not, its effect.
2. Relief.

I have heard Shri Rajeshwar Nath A. R. of workman and Shri A. R. Goyal for the respondent-management and have perused the oral and documentary evidence placed on the file. My issue-wise findings are as under :—

**Issue No. 1 :**

In respect of this issue I would like to first of all mention here that date of appointment of Shri Amrit Lal DPA, 20th November, 1975 has been admitted,—vide Ex-M-1. Date of termination, 3rd May, 1982 is also admitted by both the parties. It is also admitted fact between the parties that workman served the respondent-management more than 240 days. The service terms and conditions mentioned in appointment letter become immaterial in view of provisions of section 25 (F) of Industrial Disputes Act, by which the parties are governed at the time of retrenchment of Shri Amrit Lal. He must have been given either one month notice in writing indicating the reasons for retrenchment or he should have been paid in lieu of such notice wages for the period of the notice and retrenchment compensation must have been paid on the day when the termination order was handed over to him even one day delay in making payment of wages in lieu of notice period and retrenchment compensation would make the termination order illegal. Similarly in the case in hand termination order was served upon the workman but no wages in lieu of notice period and no retrenchment compensation was paid to him along with the termination order. However, it is in the evidence of respondent-management that retrenchment compensation was despatched in the form of cheque through registered letter but that was not delivered to the workman. Even if it would have been delivered it would have not complied with that provisions of section 25 (F). So termination order is illegal and unjustified in the eyes of law. So this issue is decided in favour of workman, against the respondent-management.

**Issue No. 2. Relief.**

For the foregoing reasons on the basis of my issue-wise findings on issue No. 1, I set aside the termination order passed and served upon the workman and order his reinstatement with continuity in service and with full back wages. I pass award regarding the dispute in hand between the parties accordingly.

Dated the 4th March, 1986.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala,

Endst. No. 682, dated the 6th March, 1986.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,  
Presiding Officer,  
Labour Court, Ambala.